

**LEMAIRE PATENT LAW FIRM, P.L.L.C.**  
 EXPERTS IN PATENTING COMPLEX TECHNOLOGY.

S/N 09/816,603PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark L. Jenson

Examiner: Raymond Alejandro

Serial No.: 09/816,603

Group Art Unit: 1745

Filed: March 23, 2001

Docket No.: 1327.009US1

Title: CONTINUOUS PROCESSING OF THIN-FILM BATTERIES AND LIKE DEVICESCOMMUNICATION CONCERNING REQUEST FOR REFUND

To: USPTO - Office of Finance - Refund Branch

Fax Number: 1-571-273-6500

Re: ERRONEOUS LARGE-ENTITY RCE FEE CHARGE for above-referenced Patent Application

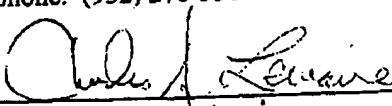
Dear Sir or Madam:

On December 16, 2005 a Request for Continued Examination was filed by facsimile for the above-referenced patent application. Our own firm's facsimile-transmission cover-sheet requested that the small-entity \$395 fee be charged to our Deposit Account (No. 502931). The "Request for Continued Examination (RCE) Transmittal" that also was submitted (form PTO/SB/30) stated: "APPLICANT CLAIMS SMALL-ENTITY STATUS". (Courtesy copies accompany this communication.) Despite these two notifications of small-entity status a LARGE-ENTITY RCE Fee of \$790 was erroneously charged to Deposit Account No. 502931 on December 20, 2005 (see accompanying courtesy copy), when a SMALL-ENTITY RCE Fee of \$395 should in fact have been charged.

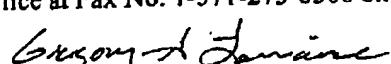
Applicant respectfully request that this mistake be corrected, and \$395 be REFUNDED to our account: **Deposit Account 502931**

Respectfully submitted,  
 Mark L. Jenson  
 By his Representative,

Lemaire Patent Law Firm, P.L.L.C.  
 P.O. Box 11358  
 St. Paul, MN 55111  
 Telephone: (952) 278-3501

Date December 20, 2005  
 By   
 Charles A Lemaire  
 Reg. No. 36,198

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office at Fax No. 1-571-273-6500 on this 20th December, 2005.

  
 Gregory A. Lemaire

RIVERVIEW OFFICE TOWER, SUITE 1500  
 8009 34TH AVENUE SOUTH BLOOMINGTON, MN 55425-1608  
 TELEPHONE: (952) 278-3500 FAX: (952) 278-3599 WEBSITE: LPATENT.COM  
 PAGE 2/8 \* RCV'D AT 12/20/2005 10:28:30 PM [Eastern Standard Time] \* SVR:USPTO-EPXRF-6/25 \* DNIS:2736500 \* CSD:952 278 3599 \* DURATION (mm:ss):02:50

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P.O. Box 11358, ST. PAUL MN 55111

CUSTOMER NUMBER 40064

TELEPHONE 952-278-3500 FACSIMILE 952-278-3599

December 16, 2005

Time: 9:51 CST

TO: Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**FAX NUMBER: 1-571-273-8300**PATENT

Applicants: Mark L. Jenson

Examiner: Raymond Alejandro

Serial No.: 09/816,603

Group Art Unit: 1745

Filed: March 23, 2001

Docket No.: 1327.009US1

Title: CONTINUOUS PROCESSING OF THIN-FILM BATTERIES AND LIKE DEVICES

We are transmitting herewith the following attached items (as indicated with an "X"):

- This Fax Transmittal (1 page);
- Request for Continued Examination (RCE), Form SB/30 (1 page - 2 copies);
- Amendment and Response and RCE under 37 CFR § 1.114 (9 pages);
- Supplemental Information Disclosure Statement (1 page);
- Form SB/08 (Substitute Form 1449) (1 page).

Please charge the Small Entity RCE fee (\$395), and any additional fees, or credit overpayment, to Deposit Account No. 502931.



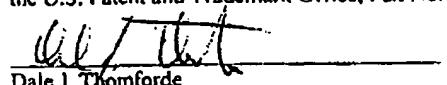
If not provided for in a separate paper filed herewith, please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 502931.

Total pages of this transmission, including this cover letter: 14 pages.

If you do NOT receive all of the pages described above, please contact us by telephone at 952-278-3500, or by fax at 952-278-3599.

By:   
 Charles A. Lemaire/ Reg. No.: 36,198

CERTIFICATE UNDER 37 C.F.R. 1.8: I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. 1-571-273-8300 on this 16<sup>th</sup> day of December, 2005.

  
 Dale J. Thomforde

PTO/SB/30 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/818,603
Filing Date	March 23, 2001
First Named Inventor	Mark L. Jenson
Art Unit	1745
Examiner Name	Raymond Alejandro
Attorney Docket Number	1327.009US1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on 28 November 2005  
ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)  
ii.  Affidavit(s)/ Declaration(s)      iv.  Other \_\_\_\_\_

2. **Miscellaneous**

a.  period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)  
b.  Other APPLICANT CLAIMS SMALL-ENTITY STATUS 

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
a.  Deposit Account No. 502931. I have enclosed a duplicate copy of this sheet.

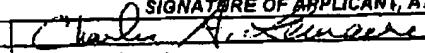
i.  RCE fee required under 37 CFR 1.17(e)  
ii.  Extension of time fee (37 CFR 1.136 and 1.17)  
iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

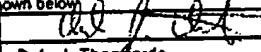
c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature		Date	December 16, 2005
Name (Print/Type)	Charles A. Lemaire	Registration No.	36,198

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Signature		Date	December 16, 2005

Name (Print/Type) Dale J. Thompson

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## Deposit Account Statement



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Deposit Account Statement

Requested Statement Month:

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Attention:

CHARLES A LEMAIRE

Address:

1500 RIVERVIEW OFFICE TOWER

City:

BLOOMINGTON

State:

MN

Zip:

55426-1608

Country:

UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/02	31	09816603	1327009US1 1806		\$180.00	\$1,320.00
12/02	60	60740968	5032.012PV1 2005		\$100.00	\$1,220.00
12/08	5	10948328	5015.001US1 2801		\$395.00	\$825.00
12/08	6	10948328	5015.001US1 2202		\$50.00	\$775.00
12/08	25	E-REPLENISHMENT		9203	-\$1,725.00	\$2,500.00
12/12	125	60748379	5032.011PV1 2005		\$100.00	\$2,400.00
12/12	264	60700425		8021	\$40.00	\$2,360.00
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12/13	222	11298395	5018.001US1 2011		\$150.00	\$2,130.00
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12/16	194	09815983	1327.005US1 2501		\$700.00	\$2,300.00
12/16	195	09815983	1327.006US1 1504		\$300.00	\$2,000.00
12/20	60	09816603	1327009US1 1801		\$790.00	\$1,210.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
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Request  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/816,803
Filing Date	March 23, 2001
First Named Inventor	Mark L. Jenson
Art Unit	1745
Examiner Name	Raymond Alejandro
Attorney Docket Number	1327.009US1

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Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

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a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on 28 November 2005  
ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply  
ii.  Affidavit(s)/Declaration(s)

iii.  Information Disclosure Statement (IDS)  
iv.  Other \_\_\_\_\_

2. **Miscellaneous**

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

a.  period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)  
b.  Other APPLICANT CLAIMS SMALL-ENTITY STATUS

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
a.  Deposit Account No. 502931. I have enclosed a duplicate copy of this sheet.

i.  RCE fee required under 37 CFR 1.17(e) 12/20/2005 HTECKLU1 00000057 502931 09816603  
ii.  Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 790.00 DA  
iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	Charles A. Lemaire	Date	December 16, 2005
Name (Print/Type)	Charles A. Lemaire	Registration No.	36,198

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Signature	12/16/2005	Date	December 16, 2005
Name (Print/Type)	David J. Thorndike	Registration No.	36,198

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12/20/2005 HTECKLU1 00000057 502931 09816603  
01 FC:1801 790.00 CR

09816603

01/19/2006 EEKURAYI 00000012 502931

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